IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the 05th day of July 2005

Criminal Misc. Bail Application No.620 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Manoj Sharma
S/o Shri Lekhraj Sharma
R/o Nand Gram
P.S. Singhani Gate
District Ghaziabad, U.P. .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of case crime No. 217 of 2004
U/s 394, 411 and 302 I.P.C.
Registered on the basis of FIR dated 27.12.2004
P.S. Patel Nagar
District Dehradun

Hon'ble J. C. S. Rawat, J.

Heard Sri R.P. Nautiyal learned counsel for the applicant and Sri G.S. Sandhu learned A.G.A. for the State.

Perused the record. The case rests upon the circumstantial evidence. The only incriminating circumstance against the applicant is that the mobile phones were recovered from the possession of applicant. The learned counsel for the applicant contended that it is a joint recovery at the pointing of co-accused Manoj Kumar Gupta, who has already been released on bail by this Court vide order dated 05.05.2005. Considering the facts, totality and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

Dated 05.07.2005 **(J.C.S. Rawat, J.)**

LSR